



City of Kelowna Regular Council Meeting Minutes

Date: Monday, November 26, 2018
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben, Mohini Singh, Luke Stack and Loyal Wooldridge

Staff Present Deputy City Manager, Joe Creron; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Acting Divisional Director, Community Planning & Strategic Investments, Derek Edstrom*; Community Planning Supervisor, Laura Bentley*; Policy & Planning Department Manager, Danielle Noble-Brandt*, Long Range Policy Planning Manager, James Moore*; Partnership Manager, Sandra Kochan*; Utility Planning Manager, Rod MacLean*; Divisional Director, Infrastructure, Alan Newcombe*; Bylaw Services Manager, David Gazley

Guest Bill McKinnon*; Public Safety Consultant

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:33 p.m.

Mayor Basran advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio and video feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

Moved By Councillor Donn/Seconded By Councillor Hodge

R1027/18/11/26 THAT the Minutes of the Regular Meetings of November 19, 2018 be amended with Councillor Stack being absent.

Carried

3. Consultant Report

3.1 Public Safety Report

Bill McKinnon:

- Displayed a PowerPoint Presentation summarizing the Public Safety Report recommendations.
- Responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Donn

R1028/18/11/26 THAT the Public Safety Report dated October 2018 be received as information,

AND THAT the Acting Community Safety Director report back to City Council early in 2019 outlining an Implementation Plan based on the recommendations of the Public Safety Report.

Carried

4. Development Application Reports & Related Bylaws

4.1 Agassiz Rd 2025, Z16-0052 - Exceling Investments Inc. - (Provincial Rental Housing Corporation, Inc. No. BC0052129)

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Singh

R1029/18/11/26 THAT Council receives, for information, the Report from the Community Planning Department dated November 19, 2018 with respect to Rezoning Application No. Z16-0052 for the property located at 2025 Agassiz Road;

AND THAT Bylaw No. 11358 be forwarded for rescindment consideration and the file be closed.

Carried

4.2 Agassiz Rd 2025, BL11358 (Z16-0052) - Exceling Investments Inc. - (Provincial Rental Housing Corporation, Inc. No. BC0052129)

Moved By Councillor Stack/Seconded By Councillor DeHart

R1030/18/11/26 THAT Bylaw No. 11358 be rescinded at first, second and third reading.

Carried

4.3 Agassiz Rd 2025, Z18-0109 - Provincial Rental Housing Corporation, Inc. No. BC0052129

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

Council:

- Discussed whether to hold the Public Hearing as a "stand alone" item and whether to hold the Public Hearing in a larger venue.

City Clerk:

- Staff will come back with recommendations to a future Monday afternoon meeting.

Moved By Councillor Stack/Seconded By Councillor Given

R1031/18/11/26 THAT Rezoning Application No. Z18-0109 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, District Lot 129, ODYD, Plan EPP68381, located at 2025 Agassiz Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated October 23, 2018;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject property.

Carried

4.4 Agassiz Rd 2025, BL11701 (Z18-0109) - Provincial Rental Housing Corporation, Inc. No. BC0052129

Moved By Councillor Donn/Seconded By Councillor Stack

R1032/18/11/26 THAT Bylaw No. 11701 be read a first time.

Carried

4.5 Darin Pl 4627, Z18-0090 - Calvin Meldrum & Barbara Laupitz

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R1033/18/11/26 THAT Rezoning Application No. Z18-0090 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 12 District Lot 357 ODYD Plan KAP57058, located at 4627 Darin Place, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Variance Permit for the subject property.

Carried

4.6 Darin Pl 4627, BL11702 (Z18-0090) - Calvin Meldrum & Barbara Laupitz

Moved By Councillor Stack/Seconded By Councillor DeHart

R1034/18/11/26 THAT Bylaw No. 11702 be read a first time.

Carried

4.7 Abbott St 2783 & 2787, Z18-0038 - AJ Wiens Development Group Ltd., Inc. No BC0798391

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Hodge

R1035/18/11/26 THAT Rezoning Application No. Z18-0038 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots A, B and C District Lot 14 ODYD Plan 15324, located at 2783 and 2787 Abbott Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated November 26, 2018;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the demolition of existing dwellings and the consolidation of the subject properties;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject properties.

Carried

4.8 Abbott St 2783 & 2787, BL11703 (Z18-0038) - AJ Wiens Development Group Ltd., Inc. No. BC0798391

Moved By Councillor Donn/Seconded By Councillor Stack

R1036/18/11/26 THAT Bylaw No. 11703 be read a first time.

Carried

4.9 Sarsons Rd 439, Z18-0076 - Rock Shore Developments Ltd., Inc. No. BC1114860

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Hodge

R1037/18/11/26 THAT Rezoning Application No. Z18-0076 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 9 District Lot 167 ODYD Plan 8049, located at 439 Sarsons Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

Carried

4.10 Sarsons Rd 439, BL11705 (Z18-0076) - Rock Shore Developments Ltd., Inc. No. BC1114860

Moved By Councillor Stack/Seconded By Councillor DeHart

R1038/18/11/26 THAT Bylaw No. 11705 be read a first time.

Carried

4.11 Molnar Rd 435, Z18-0096 - Craig J. and Natasha B. Guidi

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Singh

R1039/18/11/26 THAT Rezoning Application No. Z18-0096 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 13, Section 23, Township 26, Osoyoos Division, Yale District, Plan 24651, located at 435 Molnar Road, Kelowna, BC, from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

Carried

4.12 Molnar Rd 435, BL11707 (Z18-0096) - Craig J. and Natasha B. Guidi

Moved By Councillor Hodge/Seconded By Councillor Singh

R1040/18/11/26 THAT Bylaw No. 11707 be read a first time.

Carried

4.13 Hwy 97 N 2629 DP18-0021 (Amendment) - SKJJ Holdings Inc.

Councillor DeHart declared a conflict of interest as she is employed in the hotel industry and the applicant's hotel ownership company also owns the hotel she works for and departed the meeting at 3:17 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Sieben

R1041/18/11/26 THAT Council authorizes the issuance of Development Permit No. DP18-0021-01 for Lot 2, District Lot 125, ODYD, Except Plans H8110, 9504 and EPP47107 located at 2629 Hwy 97 North, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";

4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;
5. The applicant be required to register a Section 219 Covenant for the underground parking.

AND THAT the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated November 26th, 2018 be completed prior to Development Permit issuance.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

Councillor DeHart rejoined the meeting at 3:21 p.m.

5. Bylaws for Adoption (Development Related)

5.1 Curlew Drive 461, Z18-0084 (BL11674) - Alexander and Nadja Duffield

Moved By Councillor Singh/Seconded By Councillor Hodge

R1042/18/11/26 THAT Bylaw No. 11674 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1 Affordable Housing and Revenue from Online Accommodation Platforms

Councillor DeHart declared a conflict of interest to be consistent with the previous declarations when considering the Municipal and Regional District Tax as her employer collects the tax and left the meeting at 3:23 p.m.

Councillor Stack declared a perceived conflict of interest as his employer Society of Hope has applied for and received rental housing grants and may do so in the future and left the meeting at 3:23 p.m.

Staff:

- Provided an overview of the report, suggested an additional recommendation and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R1043/18/11/26 THAT Council receives, for information, the report from the Policy & Planning Department, dated November 26, 2018, with respect to affordable housing and revenue from online accommodation platforms;

AND THAT Council direct staff to submit the necessary documentation to Destination BC in accordance with the recommendations outlined in the report from the Policy & Planning Department, dated November 26, 2018.

AND THAT Council direct staff to continue data sharing and discussions on OAP revenues with Tourism Kelowna and report back to Council in the Fall of 2019.

Carried
Councillors Hodge and Sieben – Opposed

Councillors DeHart and Stack rejoined the meeting at 3:39 p.m.

6.2 Borrowing Bylaw 11708: Investing in Canada Infrastructure Program (ICIP) – Green Infrastructure – Sanitary Sewer Connection Area Water Quality Enhancement Project

Staff:

- Provided a summary of the grant application and senior government requirement for the Loan Authorization Bylaw at third reading.

Moved By Councillor Stack/Seconded By Councillor Hodge

R1044/18/11/26 THAT Council receives, for information, the report from the Utilities Planning Manager dated November 26, 2018, with respect to an update to the application for the Investing in Canada Infrastructure Program (ICIP) – Green Infrastructure – Sanitary Sewer Connection Area Water Quality Enhancement Project;

AND THAT Loan Authorization Bylaw No. 11708 for the proposed Local Service Area(s) be forwarded for readings consideration.

Carried

6.3 BL11708 - Sanitary Sewer Connection Areas Water Quality Enhancement Project

Moved By Councillor Hodge/Seconded By Councillor Singh

R1045/18/11/26 THAT Bylaw No. 11708 be read a first, second and third time.

Carried

6.4 Bylaw Enforcement Notice Bylaw Amendments

Moved By Councillor Given/Seconded By Councillor Wooldrige

R1046/18/11/26 THAT Council receive for information, the report by the Bylaw Services Manager with respect to amending the Bylaw Notice Enforcement Bylaw No. 10475 to reflect the correct sections and applicable charges;

AND THAT Bylaw No. 11710 being Amendment being No. 21 to Bylaw Notice Enforcement Bylaw No. 10475 be forwarded for reading consideration.

Carried
Councillor Hodge - Opposed

6.5 BL11710 - Amendment No. 21 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Wooldridge/Seconded By Councillor Given

R1047/18/11/26 THAT Bylaw No. 11710 be read a first, second and third time.

Carried
Councillor Hodge - Opposed

6.6 Enterprise Court 1955 (Portion of), BL11704 - Road Closure and Removal of Hwy Dedication

Moved By Councillor Given/Seconded By Councillor Wooldridge

R1048/18/11/26 THAT Bylaw No. 11704 be amended at third reading.

Carried

7. Resolutions

7.1 Draft Resolution, re: 2019 Council Meeting Schedule

Moved By Councillor Stack/Seconded By Councillor Donn

R1049/18/11/26 THAT the 2019 Council Meeting Schedule be adopted as follows:

Monday Regular Meetings	Public Hearing/Regular Meetings
January 7, 14, 21 and 28	January 15 and 29
February 4, 11 and 25	February 12 and 26
March 4, 11, 18 and 25	March 12 and 26
April 1, 8, 15 and 29	April 9 and 23
May 6, 13 and 27	May 7 and 21
June 3, 10, 17 and 24	June 4 and 18
July 15 and 29	July 16 and 30
August 12 and 26	August 13 and 27
September 5 *, 9, 16 and 30	September 10 and 17
October 7, 21 and 28	October 8 and 22
November 4, 18 and 25	November 5 and 19
December 2, 9 and 12 *	December 3

- September 5th – Pre-Budget Council Meeting
- December 12th – 2020 Budget Deliberations

Carried

8. Bylaws for Adoption (Non-Development Related)

8.1 BL11623 - Establishment of South East Kelowna Water Local Area Service Bylaw

Moved By Councillor Wooldridge/Seconded By Councillor Given

R1050/18/11/26 THAT Bylaw No. 11623 be adopted.

Carried

8.2 BL11715 - Amendment No. 32 to Airport Fees Bylaw No. 7982

Moved By Councillor Hodge/Seconded By Councillor Singh

R1051/18/11/26 THAT Bylaw No. 11715 be adopted.

Carried**9. Mayor and Councillor Items**

Councillor Stack:

- Spoke to his attendance at the BC non-Profit Conference last week and noted how engaged senior governments are and looking for supportive local governments.

Councillor DeHart:

- Spoke to her attendance at the CMHA Health Awards on behalf of Council.
- Spoke to her attendance at the Okanagan College Awards night.
- Reminder of the Canada Games Torch Relay at Stuart Park this coming week.

Councillor Donn:

- Reminder of the Taste of Japan event on December 2nd at the Parkinson Recreation Centre.

Councillor Sieben:

- Spoke to his attendance at the 29th Annual Innkeepers Celebration at the Hotel Eldorado.
- Spoke to his attendance at the "Ending Us and Them" showing at the Community Theatre.

Councillor Hodge:

- Made comment received from a visitor on how nice Bernard Avenue looks with the lights.

Councillor Wooldridge:

- Spoke to his attendance at the lighting of the Tree of Hope.
- Spoke to his attendance at the "Ending Us and Them" showing at the Community Theatre.
- Attended his first City Hall school tour with Councillor Donn.

Councillor Given:

- Spoke to her attendance at the "Ending Us and Them" showing at the Community Theatre.

Mayor Basran:

- Spoke to his attendance at the lighting of the Tree of Hope.
- Spoke to his attendance at the Kelowna Jaycees luncheon where Imagine Kelowna was discussed.
- Spoke to his attendance at the "Ending Us and Them" showing and how impactful it was.

10. Termination

This meeting was declared terminated at 3:59 p.m.

 Mayor Basran

/cm/acm



 City Clerk